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UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE

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STATE FORESTRY LAWS

A parallel classification showing the comparative progress of each State in forestry legislation

LOUISIANA

(Serial 1—Through Reg. Sess., 1914)

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PURPOSE OF COMPILATION

Information about the forestry laws of the various States, especially about those laws dealing with certain specific problems, is being demanded more and more; and requests for such information, coming from legislators, State administrative officers, forestry associations, forest schools, and other bodies and individuals, have led to the compilation, informally, of such State laws as bear more or less directly on the practice of forestry.

The purpose of the compilation, of which this serial is a part, is to make easy a comparative study of the laws of the different States and to further the development of practical forestry legislation. By the classification of the laws and parts of laws under the headings: "Administration," "Fires," "Public Forests," and "Taxation," the comparison is simplified, and the progress of each State, or lack of it, in these particulars, is clearly shown.

The better to accomplish this educational aim, the great mass of timber and tree laws and those finer points of reference proper only to a legal or administrative manual have been omitted.

PART I.—ADMINISTRATION.

(This division comprises the provisions of law, if any, defining the general administrative duties of the regularly constituted State forestry officials; also certain miscellaneous forestry provisions. For specific provisions, if any, concerning administrative duties of these or other State officers in connection with forest fires, State and municipal forests and nurseries or other State lands, or forest taxation, see Parts II, III, and IV, respectively.)

SEC. 1, ACT 261, L. 1910, REVISED IN ACCORDANCE WITH ACT 127, L. 1912.

Amending title.—*Be it enacted by the General Assembly of the State of Louisiana*, That Act No. 113 of the Session of 1904, approved July 4, 1904, be amended and re-enacted so as to read as follows:

An Act to establish * * * to provide for the acceptance of gifts of land by the State [for] forests, and the administration thereof; to provide for the preservation of the forests of the State, and the prevention and suppression of forest fires; to provide penalties for the violation of this Act, and for other purposes.

¹ The Conservation Commission created in 1912 (act 127, L. 1912, p. 2) supersedes the forest officials mentioned in this act. The portions of this act which are in consequence no longer in effect are omitted in this compilation. The necessary references to the Conservation Commission of 1912 are inserted thus: [].

SEC. 3, ACT 261, L. 1910, REVISED IN ACCORDANCE WITH ACT 127, L. 1912.

Conservation Commission, duties in general:
Administrative—Concerning fires—Educational—Cooperative—Investigative—Concerning State forests—Forest data—Grazing and turpentine—Reports on forestry—Collection of license tax.—*Be it further enacted, etc.,* That it shall be the duty of the * * * [Conservation Commission] to have direction of all forests interests and all matters pertaining to forestry within the jurisdiction of the State, take such action as is authorized by law to prevent and extinguish forest fires, and enforce all laws pertaining to forest woodlands and prosecute for any violation of such laws.¹ [It] shall carry on educational work in the State in the interest of forest preservation by means of correspondence, publications and lectures, especially in the schools of the State.² It shall be [its] duty to cooperate with private timber owners in laying plans for the protection, management and replacement of forests and in aiding them to form protective associations.

¹ For provisions concerning prosecutions, see sec. 3, act 127, L. 1912, on p. 3.

² The State and parish boards of public education and the State University are also charged, independently, with the providing of public instruction in forestry. (See sec. 16 of this 1910 act, and act 242, L. 1908, in volumes of Session Laws for 1910 and 1908.)

It shall be [its]¹ duty to examine all timbered lands belonging to the State, and report to the Conservation Commission upon their timber condition and actual value, and also whether some of those lands may not be held as State forest reserves. [It] shall be responsible for the protection and management of lands donated to or purchased by the State, and of all other lands reserved by the State as State forests. [It] shall make statistics of forest conditions, of forest resources of the State, the extent of forest injuries, conduct experiments in tree planting and note the effect of forest grazing and turpentineing and along other lines of forest work. [It]¹ shall prepare an annual report of the progress and conditions of the State work in forestry to the Conservation Commission and therein recommend plans for improving the State system of forest protection, management and replacement. Whenever it shall be reported to [it] that any person or persons engaged in a timber business subject to license tax are operating without license, [it] shall cause the same to be collected according to law.

SEC. 12, ACT 261, L. 1910.

Monies from penalties to go to conservation fund.—*Be it further enacted, etc.,* That all monies minus the cost of prosecution, received as penalties provided for the violations of this Act, shall be paid into the State Treasury and placed to the credit of the Conservation Fund.

SEC. 1, ACT 172, L. 1910.

Preamble.—*Be it enacted by the General Assembly of the State of Louisiana,* That Act No. 144 of the Session of 1908, approved July 2nd, 1908, be amended and re-enacted so as to read as follows:

Whereas, the recent conference of Governors, in the White House declared their firm conviction that the conservation of natural resources is a subject of transcendent importance; that these resources include the waters, the forests, and minerals; that the nation, the State and the people should co-operate in conservation; and,

Whereas, the conference declared that this co-operation should find expression in suitable action by the Congress within the limits of, and co-extensive with, the national jurisdiction of the subject, and complementary thereto by the legislatures of the several States within the limits of and co-extensive with, their jurisdiction, and,

Whereas, the conference recommended the appointment by each State [of] a Commission on the Conservation of Natural Resources, to co-operate with each other and with any similar Commission of the Federal government, therefore.²

¹ Formerly referred to the State forester, whose duties are now discharged by the Conservation Commission. Hence, the anomaly of requiring the commission to report to itself.

² The present Conservation Commission (see act No. 127, L. 1912, below) supersedes the Conservation Commission of eight members which was created by sec. 2 of this act, and which included, as ex officio members, the superintendent of experimental stations of Louisiana, the State forester, and the chief engineer of the State board of engineers. The portions of this 1910 act which are, in consequence, no longer in effect, are omitted in this compilation, and a necessary reference to the 1912 act is inserted.

SEC. 3, ACT 172, L. 1910, REVISED IN ACCORDANCE WITH ACT 127, L. 1912.

Conservation Commission, duties in general.—*Be it further enacted, etc.,* That it shall be the duty of the Commission provided for in * * * [Act No. 127, Laws 1912] to inquire into and report on the forest conditions of the State of Louisiana, with reference to the preservation, the reforestation of denuded lands, the effect of the destruction of forests on climatic conditions and waterways, and their control, * * * and generally on all matters pertinent to these subjects; it shall have supervision of the Department of Minerals and Forestry, and of such other department dealing with natural resources as may hereafter be created. Upon emergency it shall have authority to expend monies from the Conservation Fund, upon approval of the Governor and the Attorney General, to promote protect and conserve the natural resources of the State provided such expenditure shall not take from the amount in such fund required to meet fixed expenses; * * *

SEC. 4, ACT 172, L. 1910, REVISED IN ACCORDANCE WITH ACT 127, L. 1912.

Conferences.—*Be it further enacted, etc.,* That * * * it shall confer with similar Commissions appointed by other States and with the Federal Commission at the General Assembly of such Commissions; * * *

SEC. 5, ACT 172, L. 1910.

Information from other departments.—*Be it further enacted, etc.,* That the Commission shall be authorized to call upon any department of the State of Louisiana, for information, and if the furnishing of said information shall incur incidental expense in said department not now provided for in the way of research or printing, the said departments are authorized to incur said expense not to exceed fifty dollars (\$50.00) for any such department.

SEC. 1, ACT 127, L. 1912.

Conservation Commission: Appointment—Powers—Compensation—Expenses for clerical force—Attorney general to represent commission.—*Be it enacted by the General Assembly of the State of Louisiana,* That the Conservation Commission is hereby created, composed as follows:

Three commissioners, one of whom shall be president of said Commission, shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of four years and shall be men who are informed in whole, or in part, on the following subjects: * * * and the forestry * * * resources of the State. After being confirmed by the Senate, the said Commissioners shall not be subject to removal by the Governor; they shall be subject to removal for malfeasance, nonfeasance, or incompetency upon charges made before a court of competent jurisdiction.

The said commissioners shall have the supervision and control over all employees in every branch of the service,

and shall give their entire time to the service and shall receive a salary not to exceed Twenty-four Hundred dollars per annum payable monthly, except the president, who shall receive not to exceed Three Thousand Dollars per annum, payable monthly, and shall receive actual traveling and hotel expenses when engaged in the discharge of their official duties.

The Commission shall have authority to pay the expenses of any of its employees, officers or assistants either within or without the State, while in the service of the Commission. The Commission is authorized to employ such clerical and other assistance as may be necessary to efficiently transact its business and promote the good of the service, and fix the salaries, provided that the total expenses for this purpose shall not exceed 20,000 dollars per annum for clerical and all office and traveling expenses, and provided there shall not be any attorney other than the Attorney General to represent said Commission.

SEC. 2, ACT 127, L. 1912.

Commission: Vested with corporate powers—Domiciled at New Orleans—To collect data—Jurisdiction of—Reports to governor—Enforcement of forest laws.—*Be it further enacted, etc.,* That the Conservation Commission of Louisiana is hereby constituted a department of the State government for the purpose of the protection, management, and conservation of * * * and the natural * * * and forestry resources of the State and to see that all laws relative thereto are enforced,¹ and, as such, it is hereby created a body politic or political corporation invested with all powers inherent in such corporation.

It shall have authority to sue and be sued under the style "Conservation Commission of Louisiana" and all process against said corporation shall be served on the president, or in his absence on any member of the said Conservation Commission, at the general office and all suits in its behalf shall be brought by its president in the name of the Commission. In case there are any suits pending in which the * * * or the Conservation Commission heretofore created are parties to said suit either as plaintiff or defendant the present Conservation Commission created by this Act shall be substituted and become parties to said litigation in lieu of the former commission, which shall be superceded [superseded] by the present one. The domicile of said corporation is hereby fixed in the City of New Orleans, where the office shall be established, and where its archives shall be kept, and services of processes shall be made upon the president or other member of the Commission in person.

It shall be the duty of said Commission to collect, classify and preserve such statistics, data and information, as will tend to promote the objects of this act and to take charge of and keep all records, books and papers and documents which shall in the discharge of their duties hereunder come in their possession or under their control; to make and execute all contracts, and generally to do and

perform all things necessary to carry out the objects of this act subject to all limitations and duties herein provided.

Said Commission shall adopt by-laws for its own government and the government of its employees, it shall adopt rules and regulations for comprehensive control of * * * and natural resources of the State which said by-laws or rules and regulations shall not be inconsistent with or contrary to the provisions of this act.

Any person in interest who feels aggrieved by any such rule or regulation shall have the right to test the legality of the same in the courts of the State, either in the Court of the jurisdiction wherein the contest arises, or at the domicile of the Commission.

It shall be the duty of the Commissioners, at each regular meeting to examine all accounts and operations of the Commission and determine what work shall be undertaken; and monthly reports thereof shall be made in writing to the Governor, and condensed quarterly copies of said monthly reports shall be printed in one morning paper in the City of New Orleans, * * * It shall, likewise enforce all laws relating to the natural * * * and forestry resources of this State¹ * * * And said Commission shall in every way possible assist in developing the natural resources of the State under its jurisdiction to their fullest proportions.

SEC. 3, ACT 127, L. 1912.

Prosecutions: Civil, by Conservation Commission—Criminal, by district attorney.—*Be it further enacted, etc.,* That this Commission shall have power and authority, in its name, to initiate and prosecute all civil actions or proceedings arising from the violation of any law, the administration of which is imposed upon it. And it shall also be the duty of said Commission to report all violations of the criminal laws with the enforcement of which it is charged to the District Attorney within whose jurisdiction such infractions occur, and see that such cases so reported are promptly prosecuted and it shall be the duty of the District Attorney to prosecute all such actions and make report of such prosecutions to the Commission. This obligation shall be mandatory on the District Attorney.

SEC. 4, ACT 127, L. 1912.

Conservation Commission: Annual report—Appropriations for work of—Conservation fund: Receipts and disbursements.—*Be it further enacted, etc.,* That it shall be the duty of said Commission, on or before the first Monday in April of each year, to prepare and present to the Governor of the State, a printed annual report showing the operations of the Commission since the date of its last annual report, showing the amount of money received by it and from what sources, the amount of money expended by it and for what purpose, and in each annual report immediately preceding the regular session of the General Assembly, the Commission shall include an estimate of proposed expenditures and expenses for the

¹ For provisions concerning prosecutions, see the following section.

¹ For provisions concerning prosecutions, see the following section.

ensuing two years; and its prospective revenues and such recommendations for legislative action if any the Commission may deem wise for the better accomplishment of the purposes of this act. The Governor shall lay copies of said report before the General Assembly convening after their receipt, and at each regular session the General Assembly shall appropriate such funds as it may deem wise, for the continuation of the work of said Commission. A fund to be known as the "Conservation Fund" is hereby established and all funds collected by the Conservation Commission as herein provided for shall be paid in the State Treasury to the credit of said fund, a record of said payments being made by the State Auditor, and acknowledgement thereof sent to the Conservation Commission, that all expenditures shall be made out of the said fund by the warrant of the said Conservation Commission drawn on the State Auditor, which warrant shall be signed by the President of the Conservation Commission, and countersigned by its Secretary and said State Auditor shall, in turn, issue his warrant in payment thereof on the State Treasurer, said Conservation [Commission] shall keep a set of books showing from whom every dollar is received and for what purpose; to whom every dollar is paid and for what purpose; and shall keep in its file vouchers or receipts for all moneys paid out. * * *

SEC. 5, ACT 127, L. 1912.

Bonds of commissioners and employees.—*Be it further enacted, etc.,* That each one of said Commissioners shall give for the faithful performance of the duties of his office a bond in favor of the Governor of the State for the benefit of the people of the State in the sum of Five Thousand Dollars (\$5,000.00) and each employee of the said Conservation Commission other than the Commissioners, shall give a similar bond for the faithful performance of their duties in the sum of One Thousand Dollars (\$1,000.00). In case of forfeiture of any of said bonds and recovery on same, the amount recovered shall go to the general fund of the Commission.

SEC. 7, ACT 127, L. 1912.

Natural resources, not to be exploited by officers and employees of commission.—*Be it further enacted, etc.,* That the Conservation Commission shall permit no salaried officer or employee to be actively interested in the exploiting for personal gain of any of the natural resources of the State, or to be employed by any person, firm or corporation engaged in the exploiting of any of the natural resources of the State, under the penalty of dismissal from the service hereof and forfeiture of any rights sought to be acquired by said officer or employees.

SEC. 11, ACT 127, L. 1912.

Special conservation agents, powers and duties—No compensation.—*Be it further enacted, etc.,* That the Conservation Commission shall have power to appoint competent men throughout the State to be known as "Special Conservation Agents," who shall possess all rights and powers given by the law to the regular Conser-

vation Agent except the right to search without warrants, and they shall be subject to all requirements and regulations both of the law and the rules of the Conservation Commission, provided that such special Conservation Agent shall be in no way entitled to recompense from either the parish, or State or Commission for services rendered or expenses incurred in the performance of their duty. All sheriffs, constables and Peace Officers shall have the power as Conservation Agent under this Section except the right to search without warrant, and shall receive one-half of all fines collected for violation of the Game and Conservation Laws of this State that may be reported by them.

SEC. 12, ACT 127, L. 1912.

Conservation Commission: Expenses, how paid—Fines under conservation laws to go to school funds.—*Be it further enacted, etc.,* That all salaries and other expenses of said Conservation Commission are to be paid by warrant of the Conservation Commission of Louisiana drawn on the State Auditor, which warrant shall be signed by the President of the Conservation Commission and countersigned by its Secretary, and the State Auditor, shall, as hereinbefore provided, issue his warrant on the State Treasurer in payment thereof, said payment to be made from the funds collected by the sale of hunting licenses, or forfeiture of bonds and from all money which may be appropriated by the General Assembly for the use of the Conservation Commission and from all revenues derived from oysters and shrimp licenses and tax, or licenses for the trapping of fur bearing animals and licenses on fish seines, boats, diamond back terrapin, and from other sources. All fines derived from convictions of the violations of the Conservation laws of this State, except as may be herein otherwise provided less the sheriff's per cent for collection provided by law, shall be paid to the treasurer of the school funds for the use of the public schools in the parish in which the violation occurred.

SEC. 26, ACT 127, L. 1912.

Consolidation of duties.—*Be it further enacted, etc.,* That the Conservation Commission hereby created shall be charged with the duties of carrying out the provisions of Act 172¹ * * * of 1910, and any other laws on the subject of the Conservation of the Natural, * * * and forestry resources of this State in so far as they are not in conflict with the provisions of this Act, and the Conservation Commission hereby created shall to that extent discharge the functions heretofore exercised by the Conservation Commission created by Act 172 of 1910.

SEC. 27, ACT 127, L. 1912.

Services of former officials dispensed with—Conservation Commission given full charge.—*Be it further enacted, etc.,* That the Conservation Commission hereby created shall be charged with the duty of carrying out the provisions of Act number 261² of 1910, amending and re-enacting Act number 113 of 1904, and the service

¹ See p. 2.

² See pp. 1, 2, 5, 6, 7.

of the other officials mentioned in said act are hereby dispensed with, the same being placed under the exclusive control and administration of the Conservation Commission hereby created.

SEC. 28, ACT 127, L. 1912.

Penalty for violation of act.—*Be it further enacted, etc.*, That any person violating any of the provisions of this Act, where a punishment has not been otherwise provided, shall be guilty of a misdemeanor, and upon conviction thereof by any court of competent jurisdiction, shall be liable to a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) or be subject to imprisonment for not less than thirty (30) days, or be liable to both fine and imprisonment in the discretion of the court.¹

PART II.—FIRES.

(This division comprises the general provisions of law, if any, concerning protection from forest fires. For localized provisions, if any, concerning protection of State-owned lands, see Part III.)

(1) PROTECTIVE SYSTEM.

(This sub-division comprises the provisions of law, if any, defining the personnel, and the administrative duties, of the State organization charged with the prevention, detection, control and extinguishment of forest fires. For specific provisions, if any, concerning similar duties in connection with railroad fires, slash disposal, and fallow and other fires, see sub-divisions (2), (3), and (4), respectively.)

SEC. 3, ACT 261, L. 1910, REVISED IN ACCORDANCE WITH ACT 127, L. 1912.

Conservation Commission, duties re fires.—*Be it further enacted, etc.*, That it shall be the duty of the * * * [Conservation Commission] to * * * take such action as is authorized by law to prevent and extinguish forest fires, and enforce all laws pertaining to forest woodlands, and prosecute for any violation of such laws.² * * *

SEC. 10, ACT 261, L. 1910, REVISED IN ACCORDANCE WITH ACT 127, L. 1912.

Fire notices, distribution of—Destruction of—Penalty.—*Be it further enacted, etc.*, That the * * * [Conservation Commission]³ shall prepare notices, printed in large letters upon cloth or strong paper, calling attention to the destruction caused by fires and to the forest fire laws and the penalties for their violation. Such notices shall be distributed to all forest wardens, parish officials, railroad and lumber companies, private citizens, officers, railroad stations, in public squares, along public highways and in

other places. Any person who shall maliciously or wilfully destroy, deface, remove or disfigure any sign, poster or warning notice posted under the provision of this Act, shall be guilty of a misdemeanor and punishable upon conviction by a fine of not less than fifteen dollars nor more than one hundred dollars, or by imprisonment for a period of not less than ten days nor more than three months, or by both said fine and imprisonment.¹

(2) RAILROAD FIRES.

(This sub-division comprises the provisions of law, if any, defining the responsibility of railroad and logging companies, the precautions to be taken by them, and their liability for damages occasioned in the operation and maintenance of their trains and rights of way; also provisions concerning the use of spark arresters and other safeguards on traction, thrashing, other portable and sawmill engines, and boilers.)

SEC. 7, ACT 261, L. 1910, REVISED IN ACCORDANCE WITH ACT 127, L. 1912.

Precautions by railroads: Clearing rights of way—Deposits of fire—Trainmen to report fires—Instructions to section foremen—Warning placards—Penalties—Ties, etc., along rights of way.—*Be it further enacted, etc.*, That it shall be the duty of all railroad companies operating any railroad through forest lands within this State to keep their right of way cleared of all combustible materials and safely dispose of the same within said limits of said right of way between the fifteenth day of November and the fifteenth day of April. No railroad company shall permit its employees to leave a deposit of fire or live coals on its right of way other than between the rails, in the immediate vicinity of woodland or lands liable to [be] overrun by fires, and when engineers, conductors or trainmen discover that fences or other materials along the right of way, or woodland adjacent to the railroad, are burning or in danger from fire they shall report the same promptly at the next telegraph station that they pass. In seasons of drought the railroad companies shall give particular instructions to their section foremen for the prevention and prompt extinguishment of fires originating on its [their] right [rights] of way, and they shall cause warning placards furnished by the * * * [Conservation Commission]² to be posted at their stations in the vicinity of the forest lands. Any railroad company wilfully violating the requirement of this Act shall be deemed guilty of a misdemeanor and be punished by a fine not exceeding one hundred dollars for each offense, and railroad employees wilfully violating the requirements of this section shall be guilty of a misdemeanor and shall be punished by a fine of not less than five dollars nor more than fifty dollars.¹ But this section shall not be construed to prohibit or prevent any railroad company from piling or

¹ For provisions concerning prosecutions, see sec. 3, Act 127, L. 1912, on p. 3.

² For full text of this section, see pp. 1, 2.

³ See footnote to sec. 1, Act 261, L. 1910, on p. 1.

¹ For provisions concerning prosecutions, see sec. 3, Act 127, L. 1912, on p. 3.

² See footnote to sec. 1, Act 261, L. 1910, on p. 1.

keeping upon the right of way cross ties or other material necessary in the operation or maintenance of such railroads.

NOTE.—(1) **Penalty for setting fires during closed season.**—Special penalties are provided in the case of any corporation or common carrier setting fire to any wild woodland, marsh land, or prairie land during the closed season defined in Sec. 18, Act 204, L. 1912, as amended by Sec. 10, Act 47, L. 1914 (see sec. 20, Act 259, L. 1910, below).

(2) **Railroad companies liable to action for damages, including cost of injury to young growth, and of fighting fires.**—Railroad companies are also liable, as corporations, for damages, including costs of injury to young growth, resulting from fires caused by the companies, and for costs of extinguishing such fires (see secs. 6, 8, Act 261, L. 1910, below).

(3) SLASH DISPOSAL.

(This subdivision comprises the provisions of law, if any, for slash disposal after lumbering and other cutting operations.)

(4) FALLOW AND OTHER FIRES.

(This subdivision comprises the provisions of law, if any, concerning the burning of fallow, brush, etc., by farmers, and the general setting of fires to woods by hunters, fishermen and others.)

SEC. 5, ACT 261, L. 1910.

Setting fire to woods, penalties—Camp fires and other causes of fires.—*Be it enacted further, etc.,* That any person that wilfully and negligently sets on fire or causes to be set on fire any wood, brush or grass land not his own; or sets on fire or causes to be set on fire any land belonging to himself and allows such fire to escape to any wood, brush or grass land not his own; and any person that wilfully suffers any fire set by himself to damage any property of another, is guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than \$20.00 nor more than \$300.00, or by imprisonment of not less than ten days nor more than six months, or both such fine and imprisonment.¹ Every person that wilfully or maliciously sets on fire any such wood, brush or grass lands, or causes to be set on fire any such wood, brush or grass lands, whereby the property of another is injured or destroyed, shall upon conviction, be punished by a fine of not less than \$25.00 nor more than \$1,000.00, or by imprisonment for a term of not less than three months nor more than five years, or by both such fine and imprisonment.¹ Any person who shall cause a fire in any wood, brush or grass lands by carelessly, negligently, or deliberately dropping a burning match or emptying fire from a pipe, or dropping a lighted cigar or cigarette, or discharging a combustible wad from firearms, or failing to extinguish a camp fire upon leaving it, shall be deemed guilty of setting the forest on fire.¹

¹ For provisions concerning prosecutions, see sec. 3, Act 127, L. 1912, on p. 3.

SEC. 6, ACT 261, L. 1910.

Right of action for damages preserved—Injury to young growth.—*Be it further enacted, etc.,* That nothing in this Act shall be construed as affecting the right of action for damages. The liability of persons or corporations for all damages shall include the injury to young growth resulting from fires. The damage to young growth shall be calculated as the expense of artificially planting and cultivating such small growth to the point of development at the time when the fire occurred.¹

SEC. 8, ACT 261, L. 1910.

Costs of fighting fires, assessed as part of penalty.—*Be it further enacted, etc.,* That in a prosecution for the wilful and negligent setting fire to forests, when the evidence has been conclusive on the guilt or innocence of the party or parties charged with the crime, it shall be within the discretion of the court to take evidence as to the cost of fighting the fire which the accused is charged with setting, and it shall be within the discretion of the court to assess such costs as a part of the penalty of the person or persons charged, if he shall be found guilty.¹

SEC. 18, ACT 204, L. 1912, AS AMENDED BY SEC. 10, ACT 47, L. 1914.

Closed season for fires.—*Be it further enacted, etc.,* That it shall be unlawful for any person during the game breeding season, to-wit: from the fifteenth day of February to the first day of November of each year to set fire to any wild woodland, marsh land or prairie land.

NOTE.—The above Section 18 is a restatement and amendment of Section 14, Act 259, L. 1910, which act provided certain penalties for violations thereof, which are shown in the following section:

SEC. 20, ACT 259, L. 1910.

Penalties for not observing closed season, etc.—Forfeiture of hunting license and privileges.—*Be it further enacted, etc.,* That any person, firm, corporation, or common carrier, their agents, and officers violating any of the provisions of this Act, shall be deemed guilty of a misdemeanor, and shall on conviction thereof, pay the costs of the prosecution and be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) or be imprisoned in the parish jail for not less than one (1) day, nor more than sixty (60) days, or both fine and imprisonment at the discretion of the court for each offense. In addition thereto the holder of a hunting license found guilty of violating any of the provisions of this Act before a competent court, shall forfeit said license and all further hunting privileges during the current season.

¹ For provisions concerning prosecutions, see sec. 3, Act 127, L. 1912, on p. 3.

PART III.—PUBLIC FORESTS.

(This division comprises the provisions of law, if any, for the establishment and care of State and municipal forests and nurseries, and for the practice of forestry on these and on other lands owned by the State.)

(1) STATE FORESTS.

(For other provisions, if any, concerning State forests and nurseries, see Part I.)

SEC. 4, ACT 261, L. 1910.

State Forests: Gifts of land for—Clear titles—Donors may name forests.—*Be it further enacted, etc.,* That the Governor of the State is hereby authorized to accept gifts of land to the State to be held, protected and administered by the Conservation Commission¹ as State forests and to be used to demonstrate their practical utility for reculture and as breeding places for game. Such gifts must be absolute except for the reservation of all mineral rights, and in no case shall exceed (10) ten per cent of the area of any parish wherein such lands may be situated. The Attorney General is directed to see that all deeds to the State are properly executed and that the titles thereto are free and clear of all encumbrances before the gift is accepted. When any donation exceeding six hundred acres is made, the name of the donor, or any name he may suggest, on the approval of the Conservation Commission, shall be given such donation, as the designation of such reserve.

SEC. 15, ACT 261, L. 1910.

Purchase of lands for forest culture and reserves.—*Be it further enacted, etc.,* That the State Conservation Commission¹ shall have the power to purchase lands in the name of the State suitable for forest culture and reserves, at a price which shall not exceed \$1.00 per acre, using for such purpose any surplus money not otherwise appropriated, which may be standing to the credit of the conservation fund; [and] to make rules and regulations governing State reserves.

(2) OTHER STATE LANDS.

(Laws which provide merely for the protection of State lands other than State forests from fire and from timber and other forms of trespass, and for the sale of timber and other forest products therefrom, are not included because their intent is not one of forestry.)

(3) MUNICIPAL FORESTS.**PART IV.—TAXATION.**

(This division comprises the provisions of law, if any, covering the classification and taxation of forested lands and lands to be forested, the purpose of which is to encour-

age the practice of forestry by private owners; also such bounty and exemption laws as have a like purpose. For similar taxation provisions, if any, concerning State or municipal forests, or other State lands, see Part III.)

SEC. 13, ACT 261, L. 1910, REVISED IN ACCORDANCE WITH ACT 127, L. 1912.

Timber-culture contract—Fixed taxable valuation per acre—Restoration to assessment roll.—*Be it further enacted, etc.,* That in order to encourage the practice of forest culture in this State, when the owner or owners of any land which has been denuded of trees or any other land the assessed value of which shall not at the time of application exceed the sum of five dollars per acre, shall contract in writing with the * * * [Conservation Commission]¹ to supervise planting and growing upon the said lands suitable and useful timber trees in such manner as they shall prescribe, to protect the said land from fires, as far as practical, and to maintain the trees so planted or grown upon it in a live and thrifty condition for a period of not less than thirty years and not more than forty years, and to cut or remove from said land within that time no tree or trees except as permitted in the said contract; it shall be lawful for the State Board of Equalizers and the assessors of the several parishes, and they are hereby authorized upon the recommendation of the * * * [Conservation Commission] to fix a valuation of \$1.00 per acre upon said lands and timber, and this valuation to remain fixed and unchangeable for the period of the contract entered into by the land owner aforesaid with the * * * [Conservation Commission]. Any land owner who has made such a contract with the State shall be entitled to demand an annual inspection by the * * * [Conservation Commission] and a certificate as to whether the contract has been carried out. At the end of the contract entered into by the land owner with the * * * [Conservation Commission], or at any time within that period that the owner or owners of said land shall fail to maintain it in all respects according to the written agreement entered into by the owner and upon which the said land was given a fixed assessment for a fixed number of years, the said land shall be restored to the assessment roll and shall be taxed the same as other similar lands, and in addition thereto the said lands shall be supplemented on the assessment rolls for an amount that would equal the assessment of the land had it not been assessed under the provisions of this Act. Nothing in this Act shall be construed as giving the * * * [Conservation Commission] jurisdiction over lands of any resident farmer without written contract.

¹ See Act 127, L. 1912, on p. 2 et seq., for the present Conservation Commission.

¹ See Act 127, L. 1912, on p. 2 et seq., for the present Conservation Commission.

